

**TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE**



FISCAL NOTE

HB 490 - SB 1216

February 23, 2013

SUMMARY OF BILL: Expands the list of protected classes under the Tennessee Human Rights Act to include sexual orientation and gender identity discrimination. Defines "sexual orientation" as having or being perceived as having an orientation for heterosexuality, bisexuality, or homosexuality; and "gender identity or expression" as having or being perceived as having a gender-related self-identity, self-image, appearance, expression, or behavior whether or not such gender-related characteristics differ from those associated with the individual's assigned sex at birth.

ESTIMATED FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- Currently, such classifications are not protected under state law or the State's policy on discrimination or harassment and could result in additional claims.
- According to the Tennessee Human Rights Commission (THRC), a five percent increase in the number of complaints is anticipated as a result of this bill. In 2012, the Commission investigated 559 complaints. The Commission currently has 13 investigators who on average investigate 43 cases per year (559/13).
- In 2010, the Commission investigated 698 complaints with 12 investigators resulting in an average of 58 cases per year (698/12).
- A five percent increase in complaints will result in an additional 28 (559 x 5%) cases involving sexual orientation and gender identity discrimination. Given the Commission investigated 139 (698 – 559) more complaints with one less investigator, the estimate assumes the increase in the number of complaints can be accommodated within existing resources without an increased appropriation or reduced reversion.
- Any increased cost in agency training can be accomplished during regular training sessions for the agency
- Any additional resources needed by the Department of Human Resources to investigate an increase in claims can be accommodated within existing resources without an increased appropriation or reduced reversion.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "Lucian D. Geise". The signature is fluid and cursive, with the first name "Lucian" written in a larger, more prominent script than the last name "Geise".

Lucian D. Geise, Executive Director

/lsc